



Docket No. 19685.0007

COMBINED DECLARATION AND POWER OF ATTORNEY FOR
ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A SYSTEM AND METHOD FOR REMOTELY CONFIGURING TESTING LABORATORIES

the specification of which

- a. ☐ is attached hereto
- b. ☒ was filed on February 16, 2001 as application Serial No. 09/785,008 and was amended on _____. (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____. (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO: Edward A. Pennington
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5166

DIRECT TELEPHONE CALLS TO: Robert Bertin, 202-424-7872

- ☐ I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or under § 365(b) of any foreign application(s) for patent or inventor's certificate or under § 365(a) of any PCT international application(s) designating at least one country other than the U.S. listed below and also have identified below such foreign application(s) for patent or inventor's certificate or such PCT international application(s) filed by me on the same subject matter having a filing date within twelve (12) months before that of the application on which priority is claimed:

- ☐ The attached 35 U.S.C. § 119 claim for priority for the application(s) listed below forms a part of this declaration.

Country/PCT	Application Number	Date of filing (day, month, yr)	Date of issue (day, month, yr)	Priority Claimed
				<input type="checkbox"/> Y <input type="checkbox"/> N
				<input type="checkbox"/> Y <input type="checkbox"/> N
				<input type="checkbox"/> Y <input type="checkbox"/> N

- ☐ I hereby claim the benefit under 35 U.S.C. § 119(e) of any U.S. provisional application(s) listed below.

Provisional Application No.

Date of filing (day, month, yr)

**ADDITIONAL STATEMENTS FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART
OR PCT INTERNATIONAL APPLICATION(S DESIGNATING THE U.S.)**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) or under § 365(c) of any PCT international application(s) designating the U.S. listed below.

<u>US/PCT Application Serial No.</u>	<u>Filing Date,</u>	<u>Status (patented, pending, abandoned)/</u> <u>U.S. application no. assigned (For PCT)</u>
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<u>US/PCT Application Serial No.</u>	<u>Filing Date,</u>	<u>Status (patented, pending, abandoned)/</u> <u>U.S. application no. assigned (For PCT)</u>
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- ☐ In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the above listed prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or Imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: Edward A. Pennington (Reg. No. 32,588), John P. Moran (Reg. No. 30,906), Eric J. Franklin (Reg. No. 37,134), Michael A. Schwartz (Reg. No. 40,161), Robert C. Bertin (Reg. No. 41,488), Alicia A. Meros (Reg. No. 44,937), Chadwick A. Jackson (Reg. No. 46,495), Edward J. Naidich (Reg. No. 43,826), and Sean O'Hanlon (Reg. No. 47,252) of Swidler Berlin Shereff Friedman having an address of 3000 K Street, N.W., Suite 300, Washington, D.C. 20007-5116.

Full name of sole or first inventor ~~Charles Price~~ Charles A. Price

Inventor's signature

Date:

Residence: 1128 Miguel Avenue, Los Altos, California 94024

Citizenship: U.S.

Post Office Address: 1128 Miguel Avenue, Los Altos, California 94024

Full name of second inventor Kelley Stover

Inventor's signature

Date:

Residence: 2809 Mira Belle Circle, Morgan Hill, California 95037

Citizenship: U.S.

Post Office Address: 2809 Mira Belle Circle, Morgan Hill, California 95037

☒ ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

Full name of third inventor Thomas Suplica

Inventor's signature

Date:

Residence: 187 Waverley Street, Palo Alto, California 94301

Citizenship: U.S.

Post Office Address: 187 Waverley Street, Palo Alto, California 94301

Full name of fourth inventor Curtis Bray

Inventor's signature

Date:

Residence: 17135 Creekside Circle, Morgan Hill, California 95037

Citizenship: U.S.

Post Office Address: 17135 Creekside Circle, Morgan Hill, California 95037

Full name of fifth inventor Mary Rygaard

Inventor's signature

Date:

Residence: 961 The Dalles, Sunnyvale, California 94087

Citizenship: U.S.

Post Office Address: 961 The Dalles, Sunnyvale, California 94087

Full name of sixth inventor Ben Tsao

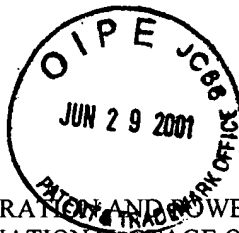
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Date:

Residence: 859 Warren Way, Palo Alto, California 94303

Citizenship: Canadian

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Full name of sole or first inventor ~~Chuck Price~~ *Charles A. Price*

Inventor's signature

Date:

Residence: 1128 Miguel Avenue, Los Altos, California 94024

Citizenship: U.S.

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Full name of second inventor Kelley Stover

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Citizenship: U.S.

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Residence: 187 Waverley Street, Palo Alto, California 94301

Citizenship: U.S.

Post Office Address: 187 Waverley Street, Palo Alto, California 94301

Full name of fourth inventor Curtis Bray

Inventor's signature

Date:

Residence: 17135 Creekside Circle, Morgan Hill, California 95037

Citizenship: U.S.

Post Office Address: 17135 Creekside Circle, Morgan Hill, California 95037

Full name of fifth inventor Mary Rygaard

Inventor's signature

Date:

Residence: 961 The Dalles, Sunnyvale, California 94087

Citizenship: U.S.

Post Office Address: 961 The Dalles, Sunnyvale, California 94087

Full name of sixth inventor Ben Tsao

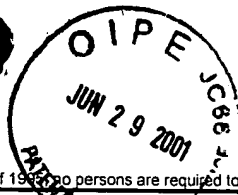
Inventor's signature

Date:

Residence: 859 Warren Way, Palo Alto, California 94303

Citizenship: Canadian

Post Office Address: 859 Warren Way, Palo Alto, California 94303



Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)
19685.0007

Applicant, Patentee, or Identifier: Charles A. Price

Application or Patent No.: 09/785,008

Filed or Issued: February 16, 2001

Title: A SYSTEM AND METHOD FOR REMOTELY CONFIGURING TESTING LABORATORIES

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Lumenare Networks

ADDRESS OF SMALL BUSINESS CONCERN 1146 E. Arques Ave., Sunnyvale, California 94086

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Phillip Cavallo

TITLE OF PERSON IF OTHER THAN OWNER CEO

ADDRESS OF PERSON SIGNING Lumenare Networks, 146 E. Arques Ave., Sunnyvale, California 94086

SIGNATURE 

DATE 6/27/01